

ARSENEAULT, WHIPPLE, FASSETT & AZZARELLO, LLP

JACK ARSENEAULT  
JOHN C. WHIPPLE\*  
DAVID W. FASSETT  
JOHN A. AZZARELLO\*.

ATTORNEYS AT LAW  
  
560 MAIN STREET  
CHATHAM, NEW JERSEY 07928  
(973) 635-3366  
FAX (973) 635-0855  
EMAIL info@awfa-law.com

THOMAS M. LENNEY\*\*  
ADALGIZA A. NUÑEZ\*  
JOHN J. ROBERTS\*

+ALSO ADMITTED IN NEW YORK  
++ALSO ADMITTED IN MICHIGAN  
\*ALSO ADMITTED IN WASHINGTON, DC

\*CERTIFIED BY THE SUPREME COURT OF  
NEW JERSEY AS A CRIMINAL TRIAL ATTORNEY

November 13, 2012

**ELECTRONICALLY FILED**

Honorable Jose L. Linares, U.S.D.J.  
Martin Luther King, Jr. U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07102

**RE: United States v. Joseph Belasco**  
**Criminal No. 12-73 (JL)**

Dear Judge Linares:

We represent Defendant. By conforming Letter Order filed September 18, 2012 [Doc. 15], the Court granted the parties' joint request and set a filing date for Defendants' pretrial motions of November 16, 2012. We respectfully submit this letter to update the Court on the parties' continuing efforts regarding discovery and to request that the Court extend that filing date by approximately sixty (60) days to Friday, January 18, 2013.

As detailed in our prior letters, this case involves a decade-long contractual relationship between the Defendant's company and the alleged victim, Pepsi Bottling Group ("PBG"). We have requested that the Government obtain from both PBG and PepsiCo, Inc. ("PepsiCo") all materials, including electronically stored information ("ESI"), pertaining to that contractual relationship, and have specifically identified certain materials which we particularly require. The Government has been obtaining and producing such materials on a rolling basis and is awaiting responses from PBG and PepsiCo as to other such materials. In light of the Government's continuing efforts to obtain and produce the materials we have requested, and to avoid unnecessary motion practice, we are continuing to defer requesting the Rule 17(c) subpoenas discussed in our prior letters.

Additionally, we have advised the Government that we are in the process of reviewing and bates-stamping reciprocal discovery materials. We anticipate producing those materials in the near future.

Accordingly, the parties jointly request that the Court extend the filing date for Defendant's pretrial motions from November 16, 2012 to Friday, January 18, 2013.

ARSENEAULT, WHIPPLE,  
FASSETT & AZZARELLO, LLP  
ATTORNEYS AT LAW

Honorable Jose L. Linares, U.S.D.J.

November 13, 2012

Page 2 of 2

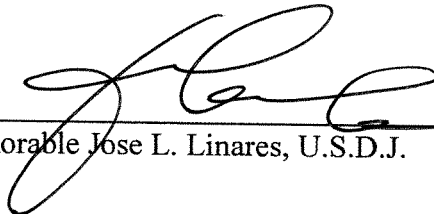
Thank you for considering this submission.

Respectfully,

s/ David W. Fassett

cc: V. Grady O'Malley, AUSA  
Jack Arseneault, Esq.  
Joseph Belasco

SO ORDERED:

  
\_\_\_\_\_  
Honorable Jose L. Linares, U.S.D.J. 11/15/12